

EXHIBIT 87

REDACTED FOR PUBLIC FILING

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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 IN RE: TERRORIST ATTACKS) 03-MDL-1570 (GBD) (SN)
4 ON SEPTEMBER 11, 2001)
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8 — — —
9 Wednesday, April 21, 2021

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11 THIS TRANSCRIPT CONTAINS
12 CONFIDENTIAL MATERIAL

13 SUBJECT TO THE FBI PROTECTIVE ORDER

14 Redacted Pages

15 — — —

16 Videotaped Deposition of ISMAIL AMMAR MOHAMED
17 MANA, held in Santa Ana, California, commencing at
18 8:07 a.m., on the above date, before Debra A.
19 Dibble, Certified Court Reporter, Registered
20 Diplomate Reporter, Certified Realtime Captioner,
21 Certified Realtime Reporter and Notary Public.

22 — — —

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1 assist in any case, you know, in any emergency.

2 Other than that, I didn't discuss the status of the
3 mosque with anyone.

4 Q. All right, sir. If I could show you --
5 if we could mark as the next exhibit file seven,
6 please.

7 (Mana Deposition Exhibit 610 marked.)

8 Q. (BY MR. POUNIAN) Do you recognize this
9 photo, sir?

10 A. Yes. This is the library of the
11 King Fahad mosque.

12 Q. And where is it located?

13 A. It's by the entrance on the right side.
14 The main entrance for the men's side.

15 Q. And did you ever use this library to do
16 any work?

17 A. Occasionally. Occasionally I sat down
18 there and check some references for my own
19 education.

20 Q. And did you ever have meetings in this
21 room, sir?

22 A. Myself?

23 Q. Yeah. Do you recall there being meetings
24 held in this room?

25 A. I see sometimes people attending there,

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1 reading materials, but not meetings per se, you
2 know.

3 Q. And do you recall when -- who installed
4 the bookcases in this particular library?

5 A. I have no idea who sold them or who
6 purchased them or who installed them or who filled
7 them. None whatsoever.

8 Q. Did there come a time in early 2000 when
9 you met Omar al-Bayoumi at the Los Angeles
10 consulate?

11 A. Omar al-Bayoumi came to the consulate for
12 any specific purpose of his. I don't know what it
13 was. He came to the Saudi affairs department, not
14 to my department.

15 However, the secretary called me and she
16 said he had a guest with him who converted to Islam
17 and he wants to get some phonic material, like on
18 the Quran, some reading materials to educate
19 himself, being new in the faith. She said please
20 bring him some materials that benefits him. So I
21 did, and I went down and found him in the lobby
22 waiting by himself. I handed the package to him and
23 congratulated him and then moved to the secretary's
24 office. And I saw this Saudi guy there, I didn't
25 even know his name, and I said, greetings, and then

1 I told him, okay, the package has been delivered,
2 and I went back to my office. That's the brief
3 encounter with that guy. I didn't even know his
4 name at that time and on that particular moment
5 until way after the 9-11 happened and the newspapers
6 started writing articles about him and this and
7 that. And I found an article in the Asharq
8 Al-Awsat, which is an Arabic newspaper. I don't
9 know if it's funded by Saudis or who.

10 Anyway, this article mentioned the name
11 of a certain man who visited the consulate, and I
12 said, what? I went to the secretary and I asked
13 her, is this the guy that came with that convert?
14 And she said, yes. And I said, my God, I didn't
15 even know.

16 So I was quite shocked to hear that he
17 was the one who was interviewed by the FBI, I
18 believe in Saudi Arabia, even.

19 And as such, you know, I -- that's the
20 moment I knew his name. But way after 9-11. When
21 he came to the consulate, I didn't even know his
22 name.

23 Q. All right, sir. So who is the secretary
24 that you just mentioned?

25 A. I believe it was the second one, Suhair

1 al-Bakri, at that time, if I am not wrong, because I
2 believe the previous one was sick and passed away, I
3 believe, from that illness.

4 Q. And what department was that? You said
5 the Saudi affairs department?

6 A. Yes. It was on the first floor right by
7 the security desk.

8 Q. And who is the head of that department,
9 sir?

10 A. I believe Dr. Sami was there at that
11 time.

12 Q. And you said the phone call came from
13 who, sir?

14 A. The secretary. She said, you know, I
15 have a Saudi guest here, and I had a guest with him,
16 and this guest is a new Muslim, and please bring him
17 some materials. So I collected the copy of the
18 Quran and some pamphlets, some small booklets that
19 explain the basics of the religion, and brought them
20 down to him. We didn't have, you know, volumes of
21 literature to get disbursed, but usually they give
22 them to guests or some mosques or that's all.

23 MR. POUNIAN: [REDACTED]

[REDACTED]

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MR. POUNIAN:

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MR. SHEN: Objection to form.

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A. To my best recollection, I believe the

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Is it possible, sir, that you recommended
the Mediterranean restaurant to Bayoumi and Bin Don
as a place to eat?

MR. SHEN: Asked and answered.

A. Okay. Let me clarify this. █ █

as a

courtesy, sometimes Saudi citizens, they ask us

1 questions about specific businesses or medical
2 offices, dentists, whatever, hospitals. As a
3 courtesy, if we know, we can refer them to those
4 places. Okay?

5 As far as the restaurant is concerned,
6 Mr. Bayoumi, like I said, I have a very, very, very,
7 and I repeat it is very brief encounter with him. I
8 cannot in one little minute get into a conversation
9 with him about restaurants or about mosques or about
10 consulate or about the -- any other business. I
11 haven't exchanged with him any discussion. [REDACTED]

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Year	Number of cases	Rate per 100,000
1990	1,200	1.2
1991	1,300	1.3
1992	1,400	1.4
1993	1,500	1.5
1994	1,600	1.6
1995	1,700	1.7
1996	1,800	1.8
1997	1,900	1.9
1998	2,000	2.0
1999	2,100	2.1
2000	2,200	2.2
2001	2,300	2.3
2002	2,400	2.4
2003	2,500	2.5
2004	2,600	2.6
2005	2,700	2.7
2006	2,800	2.8
2007	2,900	2.9
2008	3,000	3.0
2009	3,100	3.1
2010	3,200	3.2
2011	3,300	3.3
2012	3,400	3.4
2013	3,500	3.5
2014	3,600	3.6
2015	3,700	3.7
2016	3,800	3.8
2017	3,900	3.9
2018	4,000	4.0
2019	4,100	4.1
2020	4,200	4.2

1	2	3
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_____, _____, _____

_____, _____, _____

_____, _____, _____

25 [REDACTED] if he asked, I would have, as a courtesy, you know, from the consulate,

1 when we know the addresses of mosques or schools or
2 restaurants or medical offices or dentists or this
3 or that, we can possibly help them. But it's not
4 out of duty to do it, it is just rendering a
5 service. That's all. As a courtesy.

6 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

12 Q. (BY MR. POUNIAN) [REDACTED]

The diagram illustrates a 12-step process flow. Each step is represented by a small square icon followed by a text label. The steps are arranged in a grid-like fashion, with some steps having sub-steps indicated by smaller squares. The steps are: 1. Start, 2. Plan, 3. Do, 4. Check, 5. Act, 6. Review, 7. Improve, 8. Monitor, 9. Evaluate, 10. Report, 11. Close, 12. End.

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Q. (BY MR. POUNIAN)

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I haven't had the discussion with him on that particular instance. It was like one minute or less, just to say salaam alaikum, for example. How long does it take, 30 seconds? And left. That's all.

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1 Q. So is it your testimony, sir, that it was
2 impossible for you to talk to Bayoumi about the
3 Mediterranean restaurant on that day?

4 A. I didn't say it is an impossible. I said
5 if he asked me as a courtesy, I may have given him
6 the address or showed him the directions how to go
7 there. That's a possibility. Because we do
8 sometimes render service to Saudi citizens when they
9 are new and they don't know places where to go to
10 eat or to rent a hotel or to -- a hotel room or to
11 go to a hospital or to medical clinic, whatever.
12 You know, this we do, you know, every now and then
13 when there's a request. But it's not part of our
14 job. We render this as just a courtesy, as a
15 service. You know? I could have told him: I don't
16 know, go and search for it on your own. That's it.

17 MR. POUNIAN: [REDACTED]

[REDACTED]

[REDACTED]

20 Q. (BY MR. POUNIAN) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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A. Mr. Bayoumi may have asked Mana for the location of a nearby halal restaurant. He did not. He did not ask. █

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If he wanted to ask and who -- if he asked, I could possibly, as a courtesy, give him the address of the location of the restaurant, because I know the restaurant, I know the owner, he's a friend of mine, I mentioned this before, and as such, you

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1 know, I would render a small service in that case.

2 But as far as telling him to go there, to meet

3 somebody there, no, no, no. I did not say that.

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

Because he

7 did not ask, and if he asked, I would have assisted

8 on my own free will. Okay? I'm not obligated to

9 give him the address or give him the directions or

10 even accompany him to the restaurant. Okay? I

11 could have said, you're on your own. Go and find

12 the restaurant and eat. That's it.

13 Q. The point is, you don't recall -- you

14 don't remember what you talked about that day;

15 right?

16 MR. SHEN: Objection.

17 A. [REDACTED]

18 [REDACTED]

19 [REDACTED].

20 Q. (BY MR. POUNIAN) [REDACTED]

21 [REDACTED] I'm talking about your -- the moment

22 with Mr. Bayoumi at the consulate. You don't

23 remember --

24 A. I told you, it's a very brief encounter,

25 sir. I cannot give all of these details to a

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1 gentleman that I just greeted and left.

2 Q. Okay.

3 A. I haven't had the conversation with him.

4 Q. You don't recall what you said to

5 Mr. Bayoumi on that occasion --

6 MR. SHEN: Objection.

7 Q. (BY MR. POUNIAN) -- what the conversation
8 was. You have no recollection?

9 MR. SHEN: Objection. Misstates the
10 testimony and --

11 A. I'm telling you I did not have a
12 conversation -- we did not have a conversation. No
13 question, no answers.

14 Greeting and left. That's the only thing
15 that happened between me and him when he came at
16 that moment to the consulate with his guest. That's
17 all. He didn't ask for restaurant, he didn't ask
18 for mosque, he didn't ask for any other issue that
19 might be of concern to him or of interest to him at
20 all, at all.

21 Q. (BY MR. POUNIAN) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1 [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED] if he asked as a
5 courtesy I would possibly give him the address or
6 the directions if he asked for directions or more
7 detail, but other than that, no, he did not ask me.

[illegible]

18 This is nonsense. I have never been
19 involved with terrorists, never directed anyone,
20 never given any direction to anyone or a statement
21 that, you know, encourages these individuals to
22 commit their crimes. I abhor these acts. Okay? As
23 a true believer, if I found them I would chop off
24 their head before they commit their crime. I can
25 tell you that. And I've said it to the FBI agents,

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1 I told them if I knew about them, I would have
2 called you right away. To lock them and then bring
3 them to justice. What else can I say?

4 [REDACTED]

■ [REDACTED]

■ [REDACTED] [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED] [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED] And I did not give them the address, I
12 did not give them directions at that time. More
13 than that, I cannot add.

14 Q. [REDACTED]

■ [REDACTED]

16 A. [REDACTED]

17 I didn't even know the guy. I never knew him. What
18 status? What is he doing here in the U.S.? Is he a
19 student? Is he a businessman? Is he a patient that
20 came for treatment, medical treatment? Is he a
21 tourist? Is he an official of the government? I
22 have -- I have absolutely no idea who he was, what
23 status he had, and, you know, what position he had
24 in the government, if he had employment with the
25 government. It's only afterwards that one of the

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1 FBI agents in the meeting in Garden Grove that told
2 me, you know, that Mr. Omar Bayoumi was a spy on the
3 Saudi students in the United States? I said, sir,
4 you are teaching me something. I'm learning. These
5 are facts. I cannot hide them.

6 So please, you know, don't insist on
7 these encounters with Mr. Bayoumi, because I only
8 had the -- any deal with him at all individually
9 speaking. He came once in the consulate and then
10 became now subject of scrutiny and my citizenship
11 was canceled, my --

12 Anyway. Continue, sir. Sorry about
13 this.

14 Q. [REDACTED]

[REDACTED]

[REDACTED]

17 A. Mr. Bin Don, when I met him, he asked me
18 that -- he was asked about me. Okay? I said, he
19 told me: What should I say. I said, sir, tell the
20 truth. And only a criminal lives in fear. I am not
21 living in fear because I'm not a criminal. Tell
22 them the truth, what you know, period. You came to
23 the consulate, you got some gifts, thank you, that's
24 it. That's the only encounter.

25 The second encounter, he met me in a

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1 Q. Did you discuss that with him?

2 A. Never. He's no longer at the King Fahad
3 mosque. I don't see him. I don't know where he is
4 right now.

5 Q. Was Dr. Khalil interviewed by the FBI?

6 A. They have a chat with him several times,
7 I believe, in Saudi and then here in the U.S. and
8 then with -- that is almost a regular practice, you
9 know, I would say.

10 Q. And what about Osman Kaldirim?

11 A. I'm not sure about Osman Kaldirim,
12 because he rarely comes to the U.S. He's from
13 Turkish origin. And he has his own business in
14 Turkey.

15 Once in a while we'll see him there for a
16 few days and then he leaves again. But I'm not sure
17 if they contacted him.

18 Q. Was anyone at the consulate questioned by
19 the FBI?

20 A. I don't have any information on that,
21 whether they're from the officials or from the local
22 employees.

23 MR. POUNIAN: All right, sir. We

24 have no -- I have no further questions at this
25 time.

1 THE WITNESS: Okay. Thank you very
2 much.

3 MR. SHEN: [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 Can we pull up Exhibit 603, please?

7 -----

8 EXAMINATION

9 -----

10 BY MR. SHEN:

11 Q. Good afternoon, Mr. Mana. My name is
12 Andy Shen, and I'm a lawyer that represents the
13 Kingdom of Saudi Arabia. I have just a few
14 questions for you.

15 We've placed on the screen Exhibit 603.
16 Do you recognize this as your declaration?

17 A. Yes.

18 Q. And if you could, please turn to page 8.
19 Is that your signature on page 8?

20 A. Yes, it is.

21 Q. And is that the date that you signed it,
22 November 2nd, 2019?

23 A. Yes.

24 Q. And are all the statements in this
25 declaration true and accurate?

1 MR. POUNIAN: Objection.

2 A. To my knowledge, yes.

3 MR. SHEN: I have no further
4 questions. Thank you.

5 THE WITNESS: You're welcome.

6 MR. POUNIAN: [REDACTED]

7 [REDACTED]

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1 (Whereupon, all participants are now
2 present.)

3 MR. SHEN: I'm done. Anyone else?

4

5 Let's make sure none of the other defendants
6 have questions.

7 We've finished our questioning. Do
8 any of the other defendants have questions?

9 THE WITNESS: Is the question to me?

10 MR. SWIFT: No.

11 THE WITNESS: I'm sorry. Okay.

12 MR. SHEN: Mr. Swift, any questions
13 from you?

14 MR. SWIFT: I do not have any.

15 MR. SHEN: Okay. I think we're done.

16 THE VIDEOGRAPHER: This concludes
17 today's deposition of Smail Mana. We are
18 going off the record. The time is 3:34 p.m.

19 (Time noted: 3:34 p.m. PDT)

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